IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.(L) 3001 OF 2006

Padmini Prakash Bhat ... Petitioner

versus

Municipal Corporation of Gr.Mumbai & ors.Respts

Mr.A.M.Vernekar for Petitioner

Mr.V.M.Mahadik for BMC-Respondent

Mr.Dhananjay Bhat, Representative of Petitioner present

Mr.Arnavale, Inspector of Licence and Officer of BMC present

CORAM : SMT ROSHAN DALVI, J

(Vacation Judge)

DATED: 2nd January, 2007

P.C.

1. The petitioner has put up a hoarding on the compulsory open space of the building. The hoarding has been incorrectly put. The petitioner has rectified the hoarding. However, one error still remains. Minimum 10 feet space is required between the outer wall of the building and outer most part of the hoarding.

2. The representative of the petitioner who is present in the Court instructs the petitioner's Advocate to state that within 8 days, the petitioner shall rectify the hoarding to bring it within the permissible 10 feet space. Hence, the following order :

O R D E R

The petitioner shall rectify the hoarding so as to leave clear 10 feet space between the outer wall of the building and outer most part of the hoarding in the compulsory open space of the building by 9th January, 2007. If that is not done, the respondents shall be entitled to demolish the suit hoarding on 10th January, 2007.

Two photographs showing the present position of the petitioner's hoarding along with the building wall are taken on record.

Both the advocates agree that the petition is worked out accordingly.

(Smt Roshan Dalvi,J)